

CHAPTER Pari 1100 LUCKY 7 TICKETS

Statutory Authority: RSA 287-E:18

REVISION NOTE:

Pursuant to 2004, 257:16, effective 1-1-05, rules in Part Sw 2002 entitled “Lucky 7” were transferred to the Pari-Mutuel Commission from the Lottery Commission. Part Sw 2002 had last been filed by the Sweepstakes Commission under Documents #7999 and #8000, effective 12-12-03. The Sweepstakes Commission was renamed the Lottery Commission pursuant to 2004, 97:1-9, effective 7-10-04.

The Pari-Mutuel Commission subsequently filed Document #8803, effective 1-20-07, which readopted with amendments and renumbered the former Part Sw 2002 as Chapter Pari 1100. The rules in Document #8802 therefore replaced all prior filings for rules in the former Part Sw 2002. The filings of the Sweepstakes Commission affecting the former Part Sw 2002 include the following documents:

#1902, eff 12-28-01
#2538, eff 12-4-83
#3159, eff 12-13-85
#4614, eff 5-23-89
#5070, eff 2-21-91
#5327, eff 2-14-92
#6107, eff 10-27-95
#7166, eff 12-21-99
#7869, eff 4-11-03
#7999, eff 12-12-03
#8000, eff 12-12-03

PART Pari 1101 PURPOSE AND SCOPE

Pari 1101.01 Purpose. The purpose of this chapter is to establish requirements for lucky 7 tickets pursuant to RSA 287-E:1 and RSA 287-E:16 through RSA 287-E:26.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1101.02 Scope. This chapter shall apply to:

- (a) Charitable organizations which sell lucky 7 tickets; and
- (b) Distributors and manufacturers of lucky 7 tickets.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1102 LUCKY 7 DEFINITIONS

Pari 1102.01 “Bonus game” means any lucky 7 ticket that offers an additional prize(s) that can be won by either a drawing or a seal card.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.02 “Carryover” means to roll the prize money, not won, from one game date to another.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.03 “Game date” means lucky 7 tickets played on a specified date.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.04 “Game form number” means the manufacturer-designated number identifying a lucky 7 ticket.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.05 “House rules” means instructions describing how lucky 7 tickets are sold, played and won adopted by a charitable organization pursuant to Pari 1108.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.06 “Initial application” means:

(a) The first time that a charitable organization submits a lucky 7 license application to the commission;

(b) A lucky 7 license application from a charitable organization whose previous license has been expired for more than 30 days; or

(c) A lucky 7 license application from a charitable organization one year or more after the organization’s lucky 7 license was revoked pursuant to Pari 1114.01.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.07 “Lucky 7 ticket” means a paper ticket for sale in New Hampshire designed with pull-tabs or similar break-open features.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.08 “Overall odds” means the total number of tickets in a deal, divided by the total number of tickets that win a prize.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.09 “Renewal application” means an application by a charitable organization which is not an initial application.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.10 “Rolling jackpot” means the designated jackpot value that is not won on a given lucky 7 ticket that is added to the designated jackpot value of the next lucky 7 ticket for sale of the same game form number.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.11 “Rolling jackpot bonus game” means a bonus lucky 7 ticket with a rolling jackpot feature.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.12 “Seal card” means a printed paper card containing a seal(s) that, when opened or removed, reveals a predesignated winning letter, number or symbols and awards selected players additional ways to win.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.13 “Seal card front” means the side of a seal card that contains game graphics and game play information, including information visible only after a seal card window is opened.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.14 “Ticket back” means the side of the pull-tab ticket that contains the pull-tabs or similar break-open features.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1102.15 “Ticket front” means the side of the pull-tab ticket that contains game play graphics, the price of the ticket and other game play information.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1103 APPLICATION PROCEDURES FOR A LUCKY 7 LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1103.01 Application Procedures for a Lucky 7 License for a Charitable Organization.

(a) Prior to selling lucky 7 tickets, a charitable organization shall:

- (1) Apply to the commission for a lucky 7 license; and
- (2) Be issued a lucky 7 license by the commission.

(b) Each applicant for a lucky 7 license shall submit the following to the commission:

- (1) A fully completed application form as required by either Pari 1104.01 or Pari 1106.01, as applicable;
- (2) The supporting documentation specified in either Pari 1104.02 or Pari 1106.02, as applicable;

(3) A completed bingo/lucky 7 data verification form as required by Pari 1105.01, as applicable; and

(4) A fee as specified in RSA 287-E:19, I.

(c) If the commission, for the purpose of determining the applicant's qualifications for licensure, requires determines that any information or documents specified in (b) above was not submitted or completed by the applicant, the commission shall:

(1) Notify the applicant in writing or by telephone within 5 days of the date the application is received by the commission; and

(2) Specify the information or documents which the applicant is required to submit or complete.

(d) If required pursuant to (c) above, the applicant shall submit any information or documents requested by the commission within 5 days of receipt of the request.

(e) The commission shall approve or deny the application in writing within 15 days of the date that:

(1) The application is received by the commission; or

(2) If information or documents are required pursuant to (c), the information or documents are received by the commission from the applicant.

(f) The commission shall approve the application and issue a license if the applicant has:

(1) Complied with the application procedure as specified in this part;

(2) Complied with the requirements in Pari 1104 or Pari 1106, as applicable;

(3) Complied with the requirements in Pari 1105; and

(4) Met the qualifications for licensure as specified in RSA 287-E:20 .

(g) The commission shall deny the application if the applicant has:

(1) Not complied with the application procedure as specified in this part;

(2) Not complied with the requirements in Pari 1104 or Pari 1106, as applicable;

(3) Not complied with the requirements in Pari 1105; or

(4) Not met the qualifications for licensure specified in RSA 287-E:20.

(h) If the commission denies an application, the commission's written notification pursuant to (e) above shall specify the reason(s) for denial.

(i) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:26.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1103.02 Expiration of a Lucky 7 License for a Charitable Organization.

(a) A lucky 7 license for a charitable organization issued pursuant to this chapter shall expire on the last day of the month for which the license was issued.

(b) A charitable organization shall not sell any lucky 7 tickets if their license has:

- (1) Expired as specified in (a) above;
- (2) Been revoked as specified in RSA 287-E:25 and Pari 1114.01; or
- (3) Been denied pursuant to Pari 1103.01(g).

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1104 INITIAL APPLICATION FOR A LUCKY 7 LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1104.01 Initial Application for a Lucky 7 License for a Charitable Organization.

(a) A charitable organization shall submit to the commission a fully completed “Initial Application for a Lucky 7 License” form, provided by the commission, which:

- (1) For a monthly license, relates only to activities which will take place in a single monthly period beginning on the first day of an upcoming month and ending on the last day of the same upcoming month;
- (2) For a yearly license, relates to activities which will take place in a specified number of monthly periods beginning on the first day of the first month and ending on the last day of the last month;
- (3) Is signed under oath by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and
- (4) Is received by the commission at least 15 days prior to the first game date of the month or year for which the license has been requested.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

- (1) Provide their name, in print, and title or position held within the charitable organization;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete.”

(c) If at any time an initial lucky 7 application is pending, or at any time an initial lucky 7 license is in effect, any of the information provided by the charitable organization on a bingo/lucky 7 data verification form changes, or if the information becomes or is no longer accurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(d) If at any time an initial lucky 7 application is pending, or at any time an initial lucky 7 license is in effect, any of the information provided on or with an initial lucky 7 application under this section changes, or becomes or is no longer accurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting documentation containing the correct information.

(e) Licensed charitable organizations shall maintain their IRS tax-exempt status, and all other qualifications for licensure, during the period of licensure and shall notify the commission immediately should their exempt status change or be revoked or should any other qualification for licensure cease to exist.

(f) The commission shall revoke a license if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1104.02 Supporting Documentation for Initial Application for a Lucky 7 License for a Charitable Organization.

(a) An applicant shall provide the following supporting documents with the initial license application for a lucky 7 license for a charitable organization:

(1) A copy of either:

a. The IRS letter of determination:

1. Stating that the charitable organization is exempt from federal income tax;
2. Granting tax exempt status to the charitable organization under 26 USC §§501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10) or 501(c)(19); and
3. Including the charitable organization's federal tax identification number; or

b. If the charitable organization's exempt status is by virtue of a group exemption:

1. A copy of the IRS letter of determination to the entity with which the charitable organization is connected indicating that that entity possesses a group exemption under the authority of one of the code provisions noted in a. above; and
2. A letter from the entity with which the charitable organization is connected stating that the charitable organization is covered by the group tax exemption and its tax exemption number;

(2) Documentation that the city or town in which the charitable organization seeks to sell lucky 7 tickets has adopted, and currently has in effect, the local option provision of RSA 287-E:27, in the form of a copy of the currently-effective ordinance or vote of the municipality adopting these provisions;

(3) A certificate from the New Hampshire secretary of state, or a copy thereof, stating:

- a. That the charitable organization is registered with the secretary of state as a nonprofit corporation; and
- b. The charitable organization's date of registration;

(4) A certificate from the New Hampshire secretary of state, or a copy thereof, stating that the charitable organization is currently in good standing;

(5) If the charitable organization is required to register with the director of charitable trusts under RSA 7:19 through RSA 7:32-a, a certificate from the New Hampshire department of justice,

charitable trusts division, or a copy thereof, stating that the organization is so registered and is in good standing;

(6) Documentation indicating the charitable purposes for which the charitable organization was organized, and the extent these charitable purposes have been furthered by the charitable organization within the community by goods, services or both in the community, in the format described in (b) below;

(7) A copy of the charitable organization's current articles of incorporation;

(8) A copy of the bylaws of the charitable organization;

(9) A copy of the charitable organization's current membership list;

(10) A current list of:

a. The officers and directors of the charitable organization; and

b. Any officials of the charitable organization who are authorized to submit applications and supporting materials;

(11) A letter of intent in the format described in (c) below;

(12) A fully executed bingo/lucky 7 data verification form containing the information specified in Pari 1105.01;

(13) A copy of the charitable organization's house rules; and

(14) Documentation that the member of the charitable organization submitting the application on behalf of the organization is an officer, director or official presently duly authorized to submit applications, renewal applications and supporting documents on behalf of the organization, in the format described in (d) below.

(b) The documentation required under (a)(6) above shall consist of a letter from the charitable organization to the commission that:

(1) Begins with the phrase "The charitable purposes of," followed by the name of the charitable organization, the word "are" and a description of the charitable purposes of the charitable organization which:

a. Indicates the religious, civic, fraternal, veterans' or other charitable purposes of the organization, other than charitable gambling, for which the organization is organized; and

b. Describes how the purposes noted in (b)(1)a. above are furthered by activities conducted in the town or city in which the organization is organized;

(3) Bears the letterhead of the charitable organization;

(3) Is signed by an official of the charitable organization who is authorized by the organization to do so; and

(4) Bears the date that the letter was signed.

(c) The letter of intent noted in (a)(11) above shall:

(1) List the dates of activities, other than charitable gambling or activities conducted solely for the purposes of raising funds for the charitable organization, conducted by the charitable organization within the 2 year period prior to the date of the application which advance the charitable organization's charitable purpose; and

(2) Describe the activity conducted, including in the description the location at which the activity was conducted.

(d) The documentation required under (a)(14) above shall consist of a letter from the secretary of the charitable organization, on the letterhead of the charitable organization:

(1) Stating that the person submitting the application is a member of the organization;

(2) Stating the person's title within the organization;

(3) Stating that the person is presently authorized by the board of directors of the organization to file lucky 7 application forms and supporting materials on behalf of the organization; and

(4) Enclosing therewith a true and accurate copy of the minutes, or other written recording of the vote of the board of directors of the organization, authorizing the person to file lucky 7 application forms and supporting materials on behalf of the organization.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1105 BINGO/LUCKY 7 DATA VERIFICATION FORM

Pari 1105.01 Bingo/Lucky 7 Data Verification Form.

(a) An applicant for a lucky 7 license shall submit a "Bingo/Lucky 7 Data Verification Form" as an attachment to their initial license application as specified in Pari 1104.02(a)(12).

(b) The duly authorized officer, director or official who is submitting the form on behalf of the charitable organization shall:

(1) Provide their name, in print, and title or position held within the charitable organization;

(2) Sign and date the form; and

(3) Certify to the following statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete."

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1106 RENEWAL APPLICATION FOR A LUCKY 7 LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1106.01 Renewal Application for a Lucky 7 License for a Charitable Organization.

(a) A charitable organization shall submit to the commission, as specified in RSA 287-E:19, II, a fully completed "Renewal Application for a Lucky 7 License" form, provided by the commission, which:

- (1) For a monthly license, relates only to activities which will take place in a single monthly period beginning on the first day of an upcoming month and ending on the last day of the same upcoming month;
- (2) For a yearly license, relates to activities which will take place in a specified number of monthly period beginning on the first day of the first month and ending on the last day of the last month;
- (3) Is signed by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and
- (4) Is received at the commission at least 15 days prior to the expiration date of the current lucky 7 license.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

- (1) Provide their name, in print, and title or position held within the charitable organization;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete.”

(c) If at any time a renewal lucky 7 application is pending, or at any time a lucky 7 license is in effect, any of the information provided by the charitable organization on a bingo/lucky 7 data verification form changes, or if the information becomes or is no longer accurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(d) If at any time a renewal lucky 7 application is pending, or at any time a lucky 7 license is in effect, any of the information provided on or with an initial lucky 7 application under this section changes, or becomes or is no longer accurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting material containing the correct information.

(f) Licensed charitable organizations shall maintain their IRS tax-exempt status, and all other qualifications for licensure, during any period of renewal licensure and shall notify the commission immediately should their exempt status change or be revoked or should any other qualification for licensure cease to exist.

(g) The commission shall revoke a lucky 7 license renewal if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1106.02 Supporting Documentation for a Renewal Application for a Lucky 7 License for a Charitable Organization. The applicant shall submit to the commission the following supporting documentation with any renewal application(s) for a lucky 7 license for a charitable organization:

- (a) If not previously submitted, a complete membership list for the charitable organization;

(b) If the charitable organization sold lucky 7 tickets in any month prior to the month for which the application is received, any original, signed lucky 7 financial report, as required by Pari 1111.01, for any month which has not previously been submitted and which is due or overdue;

(c) If at the time of the filing of the renewal the bingo/lucky 7 data verification form previously filed is not accurate or complete, a fully executed bingo/lucky 7 data verification form containing the information required by Pari 1105.01;

(d) If any information appearing on an initial application form or any more recent renewal application form has changed, is no longer accurate or has been found to be inaccurate, either:

(1) A new, signed, application or renewal form containing the corrected information, with all required attachments thereto that are subject to correction; or

(2) A written correction of that information; and

(e) If any of the supporting documentation previously submitted pursuant to Pari 1104.02 or in conjunction with any more recent renewal application, including but not limited to the charitable organization's list of members has changed, is no longer accurate, is no longer effective, or has been found to be inaccurate, a corrected version of the supporting material.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1107 DISPLAY OF LUCKY 7 LICENSES AND HOUSE RULES

Pari 1107.01 Display of Lucky 7 Licenses and House Rules.

(a) Pursuant to RSA 287-E:20, V, a lucky 7 licensee shall prominently display their lucky 7 license in the immediate area where lucky 7 tickets are sold.

(b) A lucky 7 licensee shall post at least 2 copies of RSA 287-E, this chapter, and any house rules as required by Pari 1108.01 with the license.

(c) A lucky 7 licensee shall prominently display at least 2 copies of the house rules on posters, the bottom edge of which shall be posted not less than 54 inches nor higher than 60 inches above the floor with print size not less than 5/8 inches nor more than 2 inches.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1108 LUCKY 7 HOUSE RULES

Pari 1108.01 Lucky 7 House Rules.

(a) A lucky 7 licensee shall not adopt or use any house rule that violates RSA 287-E or this chapter.

(b) A lucky 7 licensee shall adopt and follow house rules that address at least the following:

(1) Payment of lucky 7 tickets and lucky 7 seal card prizes to winners who are not in attendance at the time of the win, if applicable;

(2) The responsibility of the player to make it known to the game officials that the player has a won;

(3) The amount of time that players have to claim a winning lucky 7 ticket;

- (4) How the player claims a winning lucky 7 ticket;
- (5) Sale of lucky 7 tickets;
- (6) Smoking/non-smoking policy which shall comply with RSA 155:66 through RSA 155:70;
- (7) The effective date of the house rules;
- (8) The name of a member of the charitable organization to be contacted by a player with comments, concerns or questions; and
- (9) That the lucky 7 tickets will be sold in accordance with RSA 287-E and this chapter.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1109 OPERATION OF LUCKY 7 TICKET SALES

Pari 1109.01 Lucky 7 Ticket Sale Operations.

- (a) The charitable organization shall sell lucky 7 tickets only as specified in RSA 287-E:21, II.
- (b) Pursuant to RSA 287-E:21, III, the charitable organization shall not sell lucky 7 tickets door-to-door.
- (c) The charitable organization shall submit to the commission a monthly financial report pursuant to Pari 1111 to verify the income and expenses reported by the charitable organization to the commission.
- (d) Pursuant to RSA 287-E:23, all of the charitable organization's tickets shall be:
 - (1) Purchased only from distributors licensed pursuant to Pari 1112; and
 - (2) Manufactured by manufacturers licensed pursuant to Pari 1112.
- (e) The charitable organization shall only purchase and receive unopened deals with an original, unbroken manufacturer's seal from licensed distributors.
- (f) The charitable organization shall immediately return any lucky 7 tickets or deals which do not comply with existing laws or this chapter to the distributor for credit.
- (g) A employee of a veterans or fraternal organization selling lucky 7 tickets shall only be a person employed by the organization such as a bartender, manager, or custodian whose wages are subject to federal tax withholding and who regularly works on the premises of the organization.
- (h) Te charitable organization shall have only one deal of the same rolling jackpot bonus game form number on sale at the same time at each licensed location.
- (i) The charitable organization may have a new deal of an identical rolling jackpot bonus game form number for sale when the prior deal of an identical rolling jackpot bonus game form number is closed.
- (j) A rolling jackpot bonus game shall be considered closed when all bonus prizes have been announced.
- (k) The rolling jackpot amount for a seal card game shall:

- (1) Be added to the designated jackpot value of the next lucky 7 game of the same name for sale and sold by the same charitable organization;
- (2) Accumulate until there is a winner; and
- (3) Be paid to players prior to the expiration of the charitable organization's final licensed sale date.

(l) Following the player's final game play on the seal card, the charitable organization shall, upon request of any person, immediately open remaining seal card windows for public inspection.

(m) On the charitable organization's final licensed lucky 7 sale date or when a lucky 7 game that contains an unclaimed rolling jackpot is not available for sale on a subsequent licensed lucky 7 sale date, the organization shall:

- (1) Develop rules to fully distribute the rolling jackpot value in the event there is no jackpot winner;
- (2) Prominently display the rules in the immediate area where lucky 7 tickets are sold at least 30 minutes prior to the start of that game's sales; and
- (3) After the start of the lucky 7 game sales, make at least one public announcement of the rules in the immediate area where the lucky 7 tickets are sold.

(n) All lucky 7 tickets shall be played in accordance with the commission approved ticket design pursuant to Pari 1112.06 on file with commission.

(o) Pursuant to RSA 287-E:24, the charitable organization shall pay all expenses and any player who wins a prize or prizes totaling \$500 or more during a lucky 7 game's bonus play by check from the account specified in Pari 1110.02(a).

(p) A lucky 7 rolling jackpot bonus game prize, when tickets for such a game are sold in conjunction with a licensed bingo game, shall be rolled over to a successive game day in the event there is no winner on the original or preceding game day.

(q) Pursuant to RSA 287-E:20, II, a lucky 7 rolling jackpot bonus game prize shall:

- (1) Be organization-specific;
- (2) Be location-specific; and
- (3) Not be transferable between charitable organizations.

(r) A person selling lucky 7 tickets may purchase and play lucky 7 tickets only after the person has finished selling tickets and returned all revenue and unsold tickets to the charitable organization's chairperson or treasurer.

(s) If a seal card game contains a separate information sheet that describes additional play instructions, then the information sheet shall be publicly posted next to its accompanying seal card.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1110 LUCKY 7 INSPECTION PROCEDURES AND FINANCIAL REQUIREMENTS

Pari 1110.01 Lucky 7 Inspection Procedures.

- (a) The charitable organization shall:
 - (1) Maintain all books of accounts, records and supporting documentation of sufficient detail to enable preparation of the monthly financial reports as specified in Pari 1111 submitted to the commission; and
 - (2) Have proof of all revenues and expenditures related to the sale of lucky 7 tickets available for review by the commission.
- (b) The charitable organization shall have all accounts, records and ticket inventories available for inspection by the commission.
- (c) Licensed charitable organizations that remove unsold lucky 7 tickets from play, for whatever reason, shall:
 - (1) Keep, for one year, the un-opened tickets for inspection by the commission; and
 - (2) Notify the commission within 7 days from removal date.
- (d) The charitable organization shall:
 - (1) Keep checking account records for the account specified in Pari 1110.02(a) on the premises where the tickets are sold; and
 - (2) Have all of the records specified in (d)(1) above open and accessible for inspection by the commission.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1110.02 Lucky 7 Financial Requirements.

- (a) The charitable organization shall have a separate checking account for depositing bingo and lucky 7 revenue at a financial institution with at least one office in New Hampshire.
- (b) The charitable organization shall not:
 - (1) Transfer or withdraw, by withdrawal slip, any bingo or lucky 7 funds from the account specified in (a) above;
 - (2) Transfer or deposit any funds, other than bingo or lucky 7 revenues, into the account specified in (a) above.
- (c) The charitable organization shall only withdraw funds from the account specified in (a) above by preprinted, consecutively numbered check.
- (d) The charitable organization shall only use the funds in the account specified in (a) above for:
 - (1) Expenditures related to bingo or lucky 7; or
 - (2) Disbursement of bingo or lucky 7 proceeds for a charitable purpose.

(e) The charitable organization shall maintain all financial accounts, records and ticket inventories which verify the following:

- (1) Gross revenue;
- (2) Prizes paid out;
- (3) Adjusted gross revenue;
- (4) Bank deposits;
- (5) Cost of full deals sold;
- (6) Fee payments;
- (7) Other expenses;
- (8) Net profit;
- (9) Inventory data by ticket type; and
- (10) Names and addresses of members selling lucky 7 tickets.

(d) Pursuant to RSA 287-E:9, IV, the charitable organization shall separately identify money deposited from bingo and lucky 7 revenue on each deposit slip.

(e) The charitable organization shall separately record all tickets sold for less than their marked price in order for the charitable organization to record any loss.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1111 MONTHLY FINANCIAL REPORT

Pari 1111.01 Monthly Financial Report

(a) The charitable organization shall submit to the commission within 15 days of the expiration of the lucky 7 license a monthly financial report for each licensed month containing either:

(1) For charitable organizations which have both a lucky 7 license and a bingo license issued pursuant to Pari 1000, the following forms provided by the commission:

- a. Lucky 7 Worksheet; and
- b. The forms specified in Pari 1014.01(a)(1) and Pari 1014.01(a)(2); or

(2) For charitable organizations which have only a lucky 7 license, Lucky 7 Worksheet and Report provided by the commission.

(b) The charitable organization's treasurer and chairperson shall:

- (1) Sign and date the report; and
- (2) Certify to the following statement:

“I hereby certify, under penalty of unsworn falsification pursuant to RSA 641:3, that all worksheets contained within this Monthly Financial Report are true, accurate and correct and that there are no willful misrepresentations in or falsifications of the worksheets.”

(c) Notwithstanding (a) above, until January 1, 2008, charitable organizations may continue to use the Lucky 7 Monthly Financial Report.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100); ss by #8979, eff 9-19-07

PART Pari 1112 DISTRIBUTORS AND MANUFACTURERS OF LUCKY 7 TICKETS

Pari 1112.01 Application Procedures for Distributor and Manufacturer Licenses.

(a) If the commission, for the purpose of determining the applicant’s qualifications for licensure, determines that any information or documents specified in (c) below has not been submitted or fully completed by the applicant, the commission shall:

(1) Notify the applicant in writing or by telephone within 30 days of the date the application is received by the commission; and

(2) Specify the information or documents which the applicant is required to submit or complete.

(b) If required pursuant to (a) above, the applicant shall submit any information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation as required by Pari 1112.03 or Pari 1112.04, as applicable; and

(2) The license fee pursuant to RSA 287-E:23, I or RSA 287-E:23, VI(c), as applicable.

(d) The commission shall approve or deny the application in writing within 45 days of the date that the application is on file with the commission.

(e) The commission shall approve the application if the applicant has:

(1) Complied with the application process set forth in this section;

(2) Complied with the requirements specified in Pari 1112.03 or Pari 1112.04, as applicable; and

(3) Met the qualifications for licensure as specified in RSA 287-E:23.

(f) The commission shall deny the application if the applicant has:

(1) Not complied with the application process set forth in this section;

(2) Not complied with the requirements specified in Pari 1112.03 and Pari 1112.04, as applicable; or

(3) Not met the qualifications for licensure specified in RSA 287-E:23.

(g) If the commission denies a license:

- (1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and
 - (2) The application fee specified in (c)(2) above shall be refunded to the applicant.
- (h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:26.
- (i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2) above to the commission before the commission will issue a license.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1112.02 Expiration of a Lucky 7 License for a Distributor or Manufacturer.

- (a) A license for a distributor or manufacturer issued pursuant to this part shall expire on June 30.
- (b) A distributor or manufacturer shall not sell lucky 7 tickets if the distributor's or manufacturer's license has:
- (1) Expired as specified in (a) above;
 - (2) Been revoked by the commission as specified in RSA 287-E:25 and Pari 1114.01; or
 - (3) Been denied pursuant to Pari 1112.01(f).

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1112.03 Distributor License Requirements.

- (a) Pursuant to RSA 287-E:22, V, licensed distributors shall:
- (1) Invoice and collect all deal fees from the charitable organizations;
 - (2) Pay such fees to the commission within 15 days of the date of sale; and
 - (3) Only sell and deliver to charitable organizations unopened deals with an original, unbroken manufacturer's seal.
- (b) With each fee payments to the commission for tickets sold to charitable organizations, the distributor shall submit a legible copy of each pre-numbered invoice.
- (c) Each invoice required by (b) above shall show for each type of lucky 7 deals:
- (1) The name and address of the charitable organization;
 - (2) The quantity, type, serial numbers, sale date, manufacturer and cost of such tickets;
 - (3) The number of deals sold;
 - (4) The amount of fees paid by the charitable organization; and
 - (5) The cost to the charitable organization.

(d) Licensed distributors shall submit to the commission a monthly bag and pull-tab ticket fee report within 15 days following the end of the month.

(e) The report, required by (d) above, shall detail:

- (1) The quantity and types of tickets sold to charitable organizations;
- (2) The name of the charitable organizations purchasing tickets; and
- (3) The amount of the enclosed check.

(f) Licensed distributors shall submit to the commission notarized financial statements prepared by a certified public accountant, the company comptroller, chief accountant or auditor within 30 days following June 30 of each year certifying that the distributor has remitted the correct amount of fees to the commission and that the report is accurate.

(g) Licensed distributors shall permit an examination, during business hours, by representatives of the commission, of the inventory of lucky 7 tickets and the books and records relating to lucky 7.

(h) On any deals used as a promotional item by a licensed distributor, the distributor shall pay the fees to the commission with a notation of "promotional".

(j) The distributor shall possess and sell only commission approved tickets pursuant to Pari 1112.06 or tickets that are to be subsequently sold out of state.

(k) The distributor shall immediately return any unauthorized tickets in the possession of a distributor to the manufacturer.

(l) Distributors of lucky 7 tickets shall be licensed by the commission prior to selling lucky 7 tickets in New Hampshire.

(m) Distributors shall:

- (1) File with the commission a fully completed "Application for Distributor License" form provided by the commission;
- (2) Pursuant to RSA 287-E:23, III, submit a bond in the amount of \$50,000 payable to the commission conditioned upon the licensee's compliance with the rules of the commission;
- (3) Submit the licensing fee specified in RSA 287-E:23, I; and
- (4) Meet the requirements for licensure under RSA 287-E:23 and this part.

(n) The person submitting the application on behalf of the distributor shall:

- (1) Provide their name, in print, and their title or position held;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete."

(o) All licensed distributors of lucky 7 or similar tickets, doing business with charitable organizations licensed by the commission to conduct charitable gaming, shall be registered with the secretary of state as required under RSA 293-A, RSA 304-C, RSA 305-A or RSA 349.

(p) All licensed distributors shall identify any lucky 7 vending machines leased, sold or rented to licensed charitable organizations by the manufacturer's name and model identification.

(q) A lucky 7 distributor with a current New Hampshire bingo distributor's license shall be authorized to sell lucky 7 tickets without filing for a license under this section.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1112.04 Manufacturers Licensing Requirements.

(a) Manufacturers of lucky 7 or similar tickets licensed by the commission prior to selling lucky 7 tickets in New Hampshire.

(b) Manufacturers shall:

- (1) File with the commission a fully completed "Application for Manufacturer License" form provided by the commission;
- (2) Pursuant to RSA 287-E:8-a, III, submit a bond in the amount of \$50,000 payable to the commission and conditioned upon the licensee's compliance with the rules of the commission;
- (3) Submit the licensing fee specified in RSA 287-E:23, VI(b); and
- (4) Meet the requirements for licensure under RSA 287-E:8-a and this part.

(c) The person submitting the application on behalf of the manufacturer shall:

- (1) Provide their name, in print, and their title or position held;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

"I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete."

(d) Licensed manufacturers shall ship lucky 7 or similar tickets into New Hampshire only to distributors that are licensed by the commission.

(e) All licensed manufacturers of lucky 7 or similar tickets, doing business with distributors licensed by the commission, shall be registered with the secretary of state as required under RSA 293-A, RSA 304-C, RSA 305-A or RSA 349.

(f) Licensed manufacturers shall supply to licensed distributors in New Hampshire, only commission approved lucky 7 tickets pursuant to Pari 1112.06 or tickets that are to be subsequently sold out of state.

(g) Each licensed manufacturer shall print the New Hampshire state seal on all lucky 7 or similar tickets shipped to licensed distributors for resale in New Hampshire.

(h) Each licensed manufacturer shall attach to each deal of tickets a visible description of the box or bag contents for all tickets in that deal.

(i) Pursuant to RSA 287-E:24, I, each licensed manufacturer shall submit a monthly report as specified in (k) below.

(j) The licensed manufacturer shall provide the following in the report required by (i) above:

- (1) The name and address of each distributor in New Hampshire to whom any lucky 7 or similar tickets were shipped;
- (2) The name, quantity and type of tickets shipped;
- (3) The dates of the shipments;
- (4) The cost of the tickets;
- (5) The number of deals shipped; and
- (6) The game form number of the tickets shipped.

(k) Each licensed manufacturer shall attach to the monthly report for the commission, one copy of all invoices including serial numbers, quantity, type and cost of tickets shipped for lucky 7 or similar tickets shipped to licensed distributors.

(l) Each licensed manufacturer shall permit a representative of the commission to examine its books, records and inventory, including records pertaining to shipments of lucky 7 or similar tickets to licensed distributors in New Hampshire.

(m) The manufacturer shall print on each lucky 7 ticket an identifying number, mark or symbol to indicate the manufacturer of such ticket.

(n) The manufacturer shall use a different name, game form number and serial number for each type of ticket manufactured.

(o) A lucky 7 manufacturer with a current New Hampshire bingo distributor's license shall be authorized to sell lucky 7 tickets without filing for a license under this section.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1112.05 Lucky 7 Ticket Price and Markings.

(a) The distributor and manufacturer shall only sell lucky 7 tickets:

- (1) That have a different name, game form number and serial number for each type of lucky 7 ticket;
- (2) That are marked with a New Hampshire state seal; and
- (2) For not more than 50 cents each.

(b) The lucky 7 ticket front shall contain:

- (1) The number of winners and respective winning number(s) or symbol(s);
- (2) The prize amounts within a deal;

- (3) The price of each ticket;
 - (4) The game name;
 - (5) The game form number;
 - (6) The name or logo of the manufacturer; and
 - (7) The serial number.
- (c) The words “Please play responsibly” shall appear on either the lucky 7 ticket front or back.
- (d) Seal cards shall contain the following information on the seal card front only:
- (1) The name, serial number and game form number of the lucky 7 ticket;
 - (2) The name or logo of the manufacturer;
 - (3) Instructions that describe how the seal card player(s) is/are selected unless a separate information sheet is enclosed with the game that contains the instructions;
 - (4) Instructions that describe how the seal card player(s) can win the seal card prize(s), unless a separate information sheet is enclosed with the game that contains the instructions;
 - (5) Except for the jackpot for rolling jackpot bonus games, a depiction of every prize value that can be won on the seal card;
 - (6) Individual lines large enough for each selected players’ name, phone number, or both, for games that require such information;
 - (7) Except for the jackpot for rolling jackpot bonus games, the total seal card prize value that can be won by a single player; and
 - (8) For rolling jackpot bonus games, a clearly defined area whereby a bingo operator can write in the value of that seal card’s rolling jackpot.
- (e) If a seal card includes game information visible only after a seal card window is opened, then an information sheet that contains at a minimum that same game information as is printed under the seal card window shall be included with the seal card.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

Pari 1112.06 Lucky 7 Ticket Approval

- (a) The distributor or manufacturer shall submit lucky 7 tickets for commission approval.
- (b) The distributor or manufacturer shall submit a request for lucky 7 ticket approval in writing to the commission.
- (c) The commission shall approve a request pursuant to (b) above if:
 - (1) The name, serial number and game form number of the lucky 7 ticket is provided and are not used for any other type of lucky 7 tickets;
 - (2) The price of the lucky 7 ticket does not exceed 50 cents;

- (3) The number of lucky 7 tickets in a deal does not exceed 3,500;
 - (4) The deal's payout and profit amounts are clearly defined;
 - (5) Pursuant to RSA 287-E:20, IV, the percentage of payback to the player is at least 45 percent of gross revenues for the deal;
 - (6) The overall odds of winning a prize on a ticket are clearly defined;
 - (7) The ticket manufacturer's name is listed on the request letter;
 - (8) A prize structure is clearly defined that denotes the number of wins per deal for each prize level, including the seal card if applicable;
 - (9) A graphic representation of the ticket front is provided;
 - (10) A graphic representation of the ticket back, closed and opened, is provided;
 - (11) A graphic representation of a seal card front, closed and opened, is provided;
 - (12) A graphic representation of all game play symbols is provided;
 - (13) A graphic representation of a single winning ticket is provided;
 - (14) A graphic representation of a multiple winning ticket, if applicable, is provided;
 - (15) The tickets and seal card (s) conform with the requirements of Pari 1112.05;
 - (16) Instructions that describe how the seal card player(s) is/are selected is provided if those instructions are not included on the seal card; and
 - (17) Instructions that describe how the seal card player(s) can win the seal card prize, if those instructions are not included on the seal card, are provided.
- (d) Lucky 7 tickets may be dispensed from a machine that the commission has determined meets the requirements of (e) below.
- (e) A manufacturer or distributor requesting approval of a lucky 7 ticket dispensing machine shall demonstrate to the commission that the machine:
- (1) Possesses the ability to retain accounting information in the event of a power failure;
 - (2) Has the ability to accept \$1, \$5, \$10 and \$20 bills;
 - (3) Has individual programmable ticket values;
 - (4) Contains a tamper-proof money receptacle; and
 - (5) Dispenses a paper ticket.
- (f) The manufacturer or distributor shall notify the commission in writing within 15 days if an approved lucky 7 ticket dispensing machine is replaced or if a new lucky 7 ticket dispensing machine is purchased and installed by a charitable organization.
- (g) Only cash prizes shall be awarded to lucky 7 ticket winners and lucky 7 seal card winners.

(h) Multiple seal cards for a single game shall each indicate the total number of seal cards played for that game form number.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1113 LUCKY 7 FEES

Pari 1113.01 Lucky 7 Fees.

(a) The distributor shall pay a lucky 7 fee for each deal of tickets as specified in RSA 287-E:22, I or RSA 287-E:22, II, as applicable.

(b) A licensed charitable organization shall pay all deal fees to a licensed distributor as specified in RSA 287-E:23-a.

(c) A licensed distributor shall submit all deal fees due under RSA 287-E:22 to the commission as specified in RSA 287-E:22, V.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

PART Pari 1114 REVOCATION OF A LUCKY 7 LICENSE

Pari 1114.01 Revocation of a Lucky 7 License.

(a) Pursuant to RSA 287-E:25, the commission shall immediately revoke a lucky 7 license issued pursuant to this chapter if a charitable organization, distributor or manufacturer fails to comply with any requirement specified in this chapter or in RSA 287-E.

(b) If the commission revokes a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, distributor or manufacturer specifying:

(1) The reason for revocation; and

(2) The date that the revocation will be final unless a hearing is requested pursuant to (c) below.

(c) Pursuant to RSA 287-E:26, the licensee shall have 15 days from the date of the notice pursuant to (b)(2) above to request a hearing pursuant to Pari 200.

(d) Pursuant to RSA 287-E:25, a licensee whose license is revoked by the commission shall not be eligible for licensure for one year from the date specified in (b)(2) above.

Source. #8803, eff 1-20-07 (See Revision Note at chapter heading for Pari 1100)

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Appendix

Rule	Specific State Statute the Rule Implements
Pari 1101	RSA 287-E:18, V
Pari 1102	RSA 287-E: 18, V
Pari 1103	RSA 287-E:18, I; RSA 287-E:19, I; RSA 287-E:20
Pari 1104	RSA 287-E:18, II; RSA 287-E:19, I; RSA 287-E:20
Pari 1105	RSA 287-E:18, II; RSA 287-E:20
Pari 1106	RSA 287-E:18, II; RSA 287-E:19, I; RSA 287-E:20
Pari 1107	RSA 287-E:3, XII and XIV
Pari 1108	RSA 287-E:18, V
Pari 1109	RSA 287-E:18, III; RSA 287-E:21
Pari 1110	RSA 287-E:18, V; RSA 287-E:24
Pari 1111	RSA 287-E:18, V; RSA 287-E:24
Pari 1111.01	RSA 287-E:18, V; RSA 287-E:24
Pari 1112	RSA 287-E:18, IV; RSA 287-E:23
Pari 1113	RSA 287-E:3, III; RSA 287-E:22
Pari 1114	RSA 287-E:3, III; RSA 287-E:25